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**Dennis M. Coyne, Esq.
Attorney General's Office
Pollution Control Division
1935 West County Road B-2
Roseville, Minnesota 55113**

Dear Dennis:

The case management order requires each party to submit final lists of fact witnesses and expert witnesses prior to the final pretrial conference. Reilly is working towards meeting this deadline. We envision reviewing our witness lists following completion of the deposition process. We have decided at this time, however, to withdraw the names of Louis Johnson, Thomas Hoak and Noel Kittel as fact witnesses who may testify at trial. Accordingly, their depositions should be dropped from the March schedule.

If you have any questions regarding this matter please contact me.

Very truly yours,

Mark R. Kaster

MRK/am

cc: Counsel of Record